

DEPARTMENT OF FINANCE BILL ANALYSIS

AMENDMENT DATE: April 14, 2011
POSITION: Neutral, note concerns
SPONSOR: State Controller John Chiang

BILL NUMBER: AB 582
AUTHOR: R. Pan

BILL SUMMARY: Open Meetings: Local Agencies

Existing law provides that all meetings of a legislative body of a local agency must be open and public and all persons be permitted to attend unless a closed session is authorized. At least 72 hours before a regular meeting, the legislative body of the local agency must post an agenda containing a brief general description of each item of business to be transacted or discussed at the meeting, including items to be discussed in closed session.

Current law authorizes a legislative body of a local agency to hold closed sessions with the local agency's designated representatives regarding the salaries, salary schedules, or compensation paid in the form of fringe benefits of its represented and unrepresented employees, but prohibits closed sessions from including final action on the proposed compensation of one or more unrepresented employees.

This bill would:

- Require the legislative body of a local agency, when proposing a compensation increase of more than five percent for a city manager, deputy city manager, county chief administrative officer, deputy chief administrative officer, or similar employee to publicly notice the proposed increase twice.
 - First, for general notice and nonvoting and discussion purposes.
 - Second, in the event of a vote on the matter, no less than 12 days after the first notice if the compensation increase is deemed necessary by the legislative body of the local agency.

FISCAL SUMMARY

Finance does not believe this bill would result in reimbursable costs, since local governments are not obliged to increase salaries for the specified staff by more than five percent. Therefore, only a voluntary action on the part of a local government would trigger the reporting requirements imposed by this bill.

COMMENTS

Finance notes the following concern regarding this bill:

- While we do not believe this bill would result in reimbursable costs for local governments, it is possible the Commission on State Mandates may rule otherwise if the bill is enacted and a mandate claim is filed.

Analyst/Principal	Date	Program Budget Manager	Date
(0762) C. Hill		Mark Hill	

Department Deputy Director	Date
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Governor's Office:	By:	Date:	Position Approved _____
			Position Disapproved _____

BILL ANALYSIS	Form DF-43 (Rev 03/95 Buff)
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BILL ANALYSIS/ENROLLED BILL REPORT--(CONTINUED)**Form DF-43****AUTHOR****AMENDMENT DATE****BILL NUMBER**

R. Pan

April 14, 2011

AB 582

Code/Department Agency or Revenue Type	SO	(Fiscal Impact by Fiscal Year)							
	LA	(Dollars in Thousands)							
	CO	PROP							Fund
	RV	98	FC	2010-2011	FC	2011-2012	FC	2012-2013	Code
0001/Major Rev	SO	No	-----	See Fiscal Summary	-----				0001